

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JUAN PACCHA,

Plaintiff,

-against-

APS ELECTRIC, INC., MIKHAIL MIKHAYLOV,
and JANE DOE a/k/a GIANA,

Defendant.

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Case No.: 1:23-cv-2075 (NRM) (MMH)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the Defendants' Memorandum of Law, the Declaration of Emanuel Kataev, Esq., dated September 15, 2023, the Declaration of Mikhail Mikhaylov, dated September 15, 2023, and all the prior papers and proceedings herein, Defendants will move this Court, before the Hon. Nina R. Morrison, U.S.D.J. at the Eastern District of New York, 225 Cadman Plaza East, Courtroom 6E North, Brooklyn, NY 11201-1804 on the date and at the time established by the Court, for an Order dismissing Plaintiff's Complaint and compel arbitration pursuant to the Federal Arbitration Act, 9 U.S.C. § 1, *et seq.*, and Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, and for such other relief as this honorable Court may deem just, equitable, and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's Order dated Sunday, September 17, 2023, opposition papers shall be filed by Monday, October 30, 2023, and reply papers shall be filed by Tuesday, November 14, 2023.

Dated: Lake Success, New York
October 6, 2023

Respectfully submitted,

MILMAN LABUDA LAW GROUP PLLC

/s/ Emanuel Kataev, Esq.

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VIA ECF

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